

1                   **Index Describing Each Exhibit**

2                   **Exhibit 1:** Plaintiff (*and former co-litigants*) “Notice of Insufficiency/Invalid  
3 Effort to Reclassify Town Highway 26 as a Trail,” dated February 17, 2010, “the  
4 Petitioners...ask that the Town simply acknowledge its statutory obligations and  
5 begin maintaining the entire length of TH26...in the manner that it should have  
6 been maintained over the last several years, consistent with 19 V.S.A.  
7 §302(a)(3)(9)(B) and the Map on file with VTrans.”

8                   **Exhibit 2:** Defendant Steve Walkerman’s “Response to Notice of Insufficiency” as  
9 Chair for the Underhill Selectboard, “The Town is maintaining the Class 3 portion  
10 of TH26. The Town is required to maintain the Class 4 portion to the extent  
11 required by the necessity of the Town, the public good and the convenience of the  
12 inhabitants of the Town. In the opinion of the Selectboard, the Class 4 portion of  
13 TH 26 is being so maintained. The Town is not required to maintain a legal trail,”  
14 dated February 19, 2010.

15                   **Exhibit 3:** Vermont Superior Court Ruling “the Town’s 2001 attempt to reclassify  
16 TH26 was not valid...” (Docket No. S0234-10 Cnc, dated May 31, 2011).

17                   **Exhibit 4:** Affidavit of Christian Fuller dated February 28, 2012, “the town  
18 highway department stopped removing beaver dams and clearing out the culvert.  
19 As a result, the water level of the beaver pond was raised to the point where it  
20 began flooding the road.”

1 **Exhibit 5:** Vermont Superior Court Decision on Motions for Summary Judgement  
2 (Docket No. S 0234-10 CnC and Docket No. 937-10 CnC, dated June 26, 2012),  
3 “See *Ketchum v. Town of Dorset*, 2011 VT 49 (mem) … There is no fact-finding. It  
4 is an appellate-style review of an administrative decision.”

5 **Exhibit 6:** Report of County Road Commissioners, (Docket No 234-10 Cnc,  
6 dated June 26, 2013), “Repairs are to consist of those repairs recommended by  
7 petitioners...”

8      **Exhibit 7:** Emails between Plaintiff and Defendant Seth Friedman dated  
9      November 25, 2020 - November 28, 2020, Plaintiff's recent appeal to Underhill  
10     Recreation Committee members involving the Best Management Practices of the  
11     Underhill Trails Handbook, "I would be very grateful if we could work together to  
12     achieve a reasonable level of public maintenance of public infrastructure..."

13 **Exhibit 8:** Underhill Recreation Committee Minutes for January 21, 2021, "After  
14 meeting with abutting [sic] land owner Dave Demerest [sic], it was determined he  
15 was not supportive of bridge idea and money was pulled out of the budget..."

Respectfully submitted this 17<sup>th</sup> day of September 2021.

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